

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL R. FANNING, et al.,

Plaintiffs,

vs.

MACHECA TRANSPORT CO., d/b/a
GATEWAY COLD STORAGE, and
MACHECA TRANSPORT CO. d/b/a
GATEWAY REFRIGERATION,
Defendants.

Case No. 4:04CV1246MLM

ORDER

This matter is before the court on Defendant's Request for Supplemental Rule 16 Conference and Stay of Summary Judgment Proceedings. [Doc.16] Plaintiffs oppose the Motion. [Doc. 17] The court has considered the Motion and finds it should be granted in part and denied in part.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Request for Supplemental Rule 16 Conference is **DENIED**. [Doc. 16]

IT IS FURTHER ORDERED that Defendants' Alternative Motion for Referral to ADR is **GRANTED**. [Doc. 16]

IT IS FURTHER ORDERED that this case is referred to ADR effective immediately and a referral to ADR Order shall be filed contemporaneously herewith.

IT IS FURTHER ORDERED that Defendants' Motion to Stay Ruling on Plaintiffs' Motion for Summary Judgment is **GRANTED** in part and **DENIED** in part. The Motion is denied without prejudice with leave to refile upon completion of ADR, if appropriate. [Doc. 16]

IT IS FURTHER ORDERED that the parties shall report to the court the outcome of the mediation and refile the Motion for Summary Judgment, if appropriate, no later than September 30, 2005.

/s/Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

Dated this 1st day of August, 2005.